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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,834	11/26/2003	Alain Blanc	FR920020045US1	9284
<div>25299 7590 05/09/2007</div> <div>IBM CORPORATION PO BOX 12195 DEPT YXSA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709</div>				
<div>EXAMINER</div> <div>HAILU, KIBROM T</div>				
<div>ART UNIT PAPER NUMBER</div> <div>2616</div>				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/723,834

Applicant(s)

BLANC ET AL.

Examiner

Kibrom T. Hailu

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413).
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 19 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

2. Claims 6 and 14 are objected to because of the following informalities:

Regarding claim 6, WPC is not explained in the claim what it stands for. Appropriate correction is required.

Regarding claim 14, “a)” is improperly used. Correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-2, 4-5, 10, 13-14, 17 and 21-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations “the packet sequence number”, “the source identifier”, “the priority level” and “the at least one egress adapter” in lines 5-6 and 11, respectively. There is insufficient antecedent basis for these limitations in the claim. Appropriate correction is required.

Claim 2 recites the limitation “ID” in line 14. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim 4 recites the limitation “active/not active”. It is unclear whether “/” stands for “or”, “and” or both. Appropriate correction is required.

Regarding claim 5, the limitation “the number of source-priority registers and associated valid-bit latches is equal to the number of pairs of ingress adapters and priority levels” in lines 12-14 render the claim indefinite because it is unclear as to what is claimed. Appropriate correction is required.

Claim 10 recites the limitation “the plurality of ingress adapters” in lines 7-8. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim 13 recites the limitations “the multicast” in page 27, line 20 and “the independent switching plane” in page 28, line 1. There is insufficient antecedent basis for this limitation in the claim. It is believed claim 13 was intended to depend on claim 12; appropriate correction is required.

Claim 14, 21 and 22 recite the limitations “the source identifier” and “the priority level”. There is insufficient antecedent basis for these limitations in the claim. The claims also recite the limitation “active/not active”. It is unclear whether “/” stands for “or”, “and” or both. Appropriate correction is required.

Claim 17 recites the limitation “the (600) scheduling” in lines 13-14. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2616

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4 and 6-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaikli (US 2003/0214949 A1).

Regarding claim 1, Shaikli discloses a system for resequencing received data packets (Abstract) comprising: first means (memory 306) for temporarily storing each received data packet at an allocated packet buffer location (paragraph [0025], lines 3-6; paragraph [0034], lines 1-3); second means ("registers 606, 608, 610 and 612") for storing the packet sequence number, the source identifier and the priority level of each stored data packet (paragraphs [0041], [0054]-[0057]); and means coupled to the first storing means and the second storing means for determining for each sequence of data packets among the plurality of sequences the order of the data packets to be output from the at least one egress adapter (paragraphs [0008]; [0009], lines 1-7; [0044], explain determining the order of the data packets for output based on sequence number and the priority of data) .

Regarding claim 2, Shaikli discloses the first storing means (memory 306) comprise a free buffer list (401) to allocate a free packet buffer location (ID) to each received data packet (304) (paragraph [0047]).

Regarding claim 3, Shaikli discloses determination means comprise a Content Addressable Memory CAM (memory table 310) wherein each entry is having an identification field (memory pointer 604) to contain a packet buffer identifier (ID) to identify the packet buffer location allocated to each received data packet (paragraphs [0042]; [0047], lines 4-6), and a

search field to contain the source identifier, the priority level and the packet sequence number of each stored data packet (paragraph [0041], lines 1-3).

Regarding claim 4, Shaikli discloses a plurality of source-priority registers (“delay_store register 608”) to contain each, a packet sequence number (PSN) and a packet buffer identifier (ID) (pointer) of a previously stored data packet (paragraph [0059], lines 4-9); and a plurality of valid-bit latches (630, “v1 and v2, valid bits) respectively associated to the plurality of source-priority registers to set an active/not active status to indicate that the corresponding stored data packet is the next one in sequence (paragraph [0069]-[0070]).

Regarding claim 6, Shaikli discloses each of the plurality of source-priority registers (606, 608, 610 and 612) further comprise counting means (read pointer 606) to count for each sequence of data packets the number of data packets stored within said storing means waiting for being output from the at least one egress adapter (paragraphs [0064]; [0065], lines 12-19, ...the read pointer increments or counts to point to the next entry in the table to find the next sequenced packet to output).

Regarding claim 7, Shaikli discloses comprising scheduling means (dequeue logic 316) coupled to the determination means for selecting one sequence of data packets from which a data packet is to be output from the at least one egress adapter (paragraphs [0009], lines 14-22; [0010], lines 12-14; [0047]).

Regarding claim 8, Shaikli discloses the scheduling means (dequeue logic 316) are coupled to the plurality of valid-bit latches (fig. 6, valid bits 630) to select one valid-bit latch among the valid-bit latches having their valid bit active (paragraph [0069], illustrates selecting “1” or “0” based on the validity of the bits).

Regarding claim 9, Shaikli discloses the received data packets comprise unicast and multicast data packets (see fig. 1, illustrates the packets are unicast and multicast packets. Note also that unicasting and multicasting are well known in the art).

Regarding claim 10, Shaikli discloses each of the plurality of ingress adapters comprise means (sequence encoder or encoder logic 202) for numbering the unicast data packets according to the priority level and to the at least one egress adapter of each unicast data packet (fig. 1 and 2; fig. 5, step 504; paragraphs [0021]; [0020], lines 4-6, explains the encoder logic or sequence encoder 202 of the source processors or ingresses assign sequence numbers to each packet according to their priority and the destination processor, which in this case destination processor D).

Regarding claim 11, Shaikli discloses each of the plurality of ingress adapters further comprises means for load balancing over a plurality of independent switching planes the numbered data packets (fig. 1; paragraph [0003], illustrates the numbered data packets are distributed or balanced to the plurality of the fabrics or switches to be switched to the intended destinations. Note also that since each of the numbered data packets are load balanced or distributed across the plurality of the switches, it is obvious for a person in the art to realize the presence of load balancer in each of the source processors or ingress adapters).

Regarding claim 12, Shaikli discloses each of the plurality of ingress adapters further comprises means for scheduling the switching of the unicast and multicast data packets over the plurality of independent switching planes (fig. 1; paragraphs [0008], lines 5-7; [0009], lines 7-9; [0010], lines 7-11).

Regarding claim 13, Shaikli discloses the at least one egress adapter (destination processor D) further comprises means (401) for numbering the multicast data packets according to the priority level of each multicast data packet and to the independent switching plane each multicast data packet has been switched through (fig. 1 and 4; paragraphs [0035], line 9-[0038]; [0008], line 18, explains the numbering or the reordering of the multicast data that are switched through each of the switching fabric based on the priority as well as other parameters, such as arrival time, transmitting sequence number and expiration time at the destination).

Regarding claim 14, Shaikli discloses a method for resequencing received data packets comprising for each received data packet (claim 11): allocating a packet buffer location to the received data packet and temporarily storing said received data packet at said allocated packet buffer location (paragraph [0025], lines 3-6; paragraph [0034], lines 1-3); extracting the source identifier and the priority level of the stored data packet to point to a corresponding source-priority register that contains a packet sequence number (PSN) and a packet buffer location identifier (ID) of a previously received data packet (paragraphs [0041], [0054]-[0057], [0059], lines 4-9), the source-priority register being associated to a valid-bit latch that indicates an active/not active status (paragraph [0069]-[0070]); and checking the status of the valid-bit latch (paragraphs [0064], lines 6-11; [0065], lines 14-18) and comparing the packet sequence number of the received data packet with the packet sequence number contained within the pointed source-priority register to determine if the received data packet is to be output as the next data packet of the corresponding sequence of data packets (paragraphs [0066], line 4-10; [0067]-[0069]) .

Regarding claim 15, Shaikli discloses the checking step (paragraphs [0064], lines 6-11; [0065], lines 14-18) further comprises: if the status is not active (paragraph [0064], line 9, ...if the sequence number is not valid): updating the pointed source-priority register with the packet sequence number and the packet buffer location identifier of the received data packet, only if the packet sequence number of the received data packet is the next in sequence (paragraphs [0064], lines 9-[0065], lines 18, illustrates when the sequence number is not valid, i.e. if the packet is lost or time is expired, the read pointer register is incremented to the next entry in the table to find the next sequenced packet to output); and setting the status of the valid-bit latch to active (paragraph [0069]); otherwise, if the status is active (paragraph [0064], lines 6-7): writing in a Content Addressable Memory (memory table 310), the source identifier, the priority level and the packet sequence number of the received data packet, the write address being identified by the packet buffer location allocated to the received data packet (fig. 6, "table 310 and valid bits 630"; paragraphs [0064], lines 6-8; [0061], lines 3-13; [0055], lines 2-3; explains the parameters, sequence number, priority and identifier, are written into the table).

Regarding claim 16, Shaikli further discloses comprising incrementing a 'waiting packet' counter (paragraph [0065], lines 8-14, the read pointer register is incremented to point to the next in the table to find the next sequenced packet to output).

Regarding claim 17, Shaikli further discloses comprising the scheduling the output of the received data packet from the at least one egress adapter (paragraph [0064], lines 6-8, illustrates when the value read from the table at the selected sequence number is valid, the data is retrieved from the memory for output).

Regarding claim 18, Shaikli further discloses comprising the step of decrementing the 'waiting packet' counter after transmitting the received data packet (paragraph [0047], explains when a packet is unloaded or outputted from the memory, the memory gets empty to store newly arrived data packets, and the memory pointer associated with the packet is reused.... Thus, it is obvious to say that the memory pointer is decreased when a packet is unloaded from memory for output).

Regarding claim 19, Shaikli discloses searching the Content Addressable Memory (table 310) for the next packet sequence number (fig. 6; paragraph [0066], lines 1-4); and if the search match (fig. 6; paragraph [0066], lines 6-7, when the read_ptr equals the current value sequence number): updating the source-priority register with the founded next packet sequence number and the corresponding packet buffer location identifier (fig. 6; paragraph [0066], lines 4-7, illustrates the current_value register is updated when the read_ptr equals the current value sequence number, and the corresponding packet buffer location identifier, such as data_ptr_20 corresponds to the sequence number 20); keeping the status of the valid-bit latch to active (paragraph [0069], lines 7-8); and invalidating the searched CAM entry (paragraph [0069], lines 1-4); otherwise, if the search does not match, resetting the status of the valid-bit latch of the pointed source-priority register (paragraph [0069], lines 4-12).

Regarding claim 20, Shaikli further discloses comprising after the resetting starting a timer (paragraph [0065], lines 10-18).

Regarding claim 21, Shaikli discloses a system (abstract) comprising: a buffer in which received data packets are temporarily stored (paragraph [0025], lines 3-6; [0034], lines 1-3); a controller programmed to use the source identifier and the priority level of the stored data packet

to select a corresponding source-priority register that contains a packet sequence number (PSN) and a packet buffer location identifier (ID) of a previously received data packet, the source-priority register being associated with a valid-bit latch that indicates an active/not active status (paragraphs [0041]; [0054]-[0057]; [0059], lines 4-9; [0042]; [0047], lines 4-6); and said controller programmed to check the status of the valid-bit latch (paragraphs [0064], lines 6-11; [0065], lines 14-18) and comparing the packet sequence number of the received data packet with the packet sequence number contained within the pointed source-priority register to determine if the received data packet is to be output as the next data packet in the corresponding sequence of data packets (paragraphs [0066], line 4-10; [0067]-[0069]).

Regarding claim 22, Shaikli discloses a computer program product comprising: a computer readable medium containing computer readable code including a first instruction module for accessing a buffer in which received data packets are temporarily stored (paragraph [0025], lines 3-6; [0034], lines 1-3) and to extract the source identifier and the priority level of the stored data packet to select a corresponding source-priority register that contains a packet sequence number (PSN) and a packet buffer location identifier (ID) of a previously received data packet, the source-priority register being associated to a valid-bit latch that indicates an active/not active status (paragraphs [0041]; [0054]-[0057]; [0059], lines 4-9; [0042]; [0047], lines 4-6); and a second instruction module to check the status of the valid-bit latch (paragraphs [0064], lines 6-11; [0065], lines 14-18) and comparing the packet sequence number of the received data packet with the packet sequence number contained within the pointed source-priority register to determine if the received data packet is to be output as the next data packet of the corresponding sequence of data packets (paragraphs [0066], line 4-10; [0067]-[0069]).

Regarding claim 23, Shaikli discloses a method comprising: a) providing a buffer in which packets exiting a device is temporarily stored (paragraph [0025], lines 3-6; paragraph [0034], lines 1-3); b) providing at least one source priority register identifying at least one packet by at least Source Priority (S.sub.1, P.sub.1-n), Packet Serial No. (PSN) and location of packet in said buffer (ID) (paragraphs [0041]; [0054]-[0057]; [0059], lines 4-9; [0042]; [0047], lines 4-6); c) providing at least one validity latch (630, "v1 and v2, valid bits) whose setting indicates status of said at least one packet (paragraph [0069]-[0070]); and d) scheduling a packet for transmission based upon state of the validity latch (paragraph [0064], lines 6-8, illustrates when the value read from the table at the selected sequence number is valid, the data is retrieved from the memory for output).

Regarding claim 24, Shaikli discloses including repeating d) so long as another packet having a packet serial number in-sequence with a last scheduled packet is found in the buffer (paragraphs [0044]; [0047], lines 6-10; [0064], lines 1-6; [0071], lines 5-9; [0090], lines 8-10).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kibrom T. Hailu whose telephone number is (571)270-1209. The examiner can normally be reached on Monday-Thursday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on (571)272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kibrom Hailu
KTH 05/03/2007


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SUPERVISORY PATENT EXAMINER